

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ROBERT S. GREEN,

Plaintiff,

v.

Case No: 8:23-cv-55-CEH-SPF

SERVIS ONE, INC.,

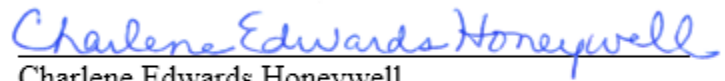
Defendant.

ORDER

This cause comes before the Court on Plaintiff's Notice of Voluntary Dismissal (Doc. 19), filed on July 7, 2023. Plaintiff attempts to dismiss this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), without an order from the Court. However, such dismissal is only effective when the notice of dismissal is filed before the opposing party serves an answer or a motion for summary judgment. Here, Defendant Servis One, Inc. filed an Answer (Doc. 13) on February 17, 2023. Therefore, Plaintiff's Notice of Voluntary Dismissal is ineffective without a court order.

To properly dismiss this action, Plaintiff must either submit a stipulation of dismissal signed by all parties who have appeared in this matter pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) or file a motion for the Court to consider Plaintiff's request to dismiss the complaint. *See* Fed. R. Civ. P. 41(a)(2).

DONE and **ORDERED** in Tampa, Florida on July 7, 2023.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to:
Counsel of Record
Unrepresented Parties